

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 789, FOOD AND DRUGS ACT.

ADULTERATION OF SHUCKED OYSTERS.

On or about December 1, 1910, there were offered for sale in the city of Washington, District of Columbia, three barrels of shucked oysters in the possession of one Lee J. Roberts, the owner. Examination of samples of this product made in the Bureau of Chemistry, United States Department of Agriculture, showed that said oysters had been shucked, and subsequently chilled by the direct application of melting ice in such a manner as to add water thereto, and were therefore adulterated within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the said three barrels of shucked oysters were liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the District of Columbia.

In due course a libel was filed in the Supreme Court of the District of Columbia against the said three barrels of shucked oysters, charging the above offering for sale in the District of Columbia, and alleging that the product so offered for sale was adulterated in that a certain substance, to wit, water, had been mixed and packed with the said oysters in such a manner as to reduce, lower, and injuriously affect their quality and strength, and further, in that a certain substance, to wit, water, had been substituted in part for and in place of the said oysters, and praying seizure, condemnation, and forfeiture of the product.

The cause coming on for hearing, no proper answer having been filed by the owner of the product, the court being fully informed in the premises, issued its decree finding the said product to be adulterated as charged in the above libel and ordering the destruction thereof by the marshal of said District.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *February 23, 1911.*

